

Smart Prescription Drug Choices

Workshop Guide

Medicare Rights Center

OVERVIEW

This workshop provides consumers with information that can help them make informed decisions when buying prescription drugs. The workshop covers three related topics. The first topic is Consumers Union's educational project on helping consumers make informed prescription drug choices. finding the most effective and affordable prescription drugs. The second topic is generic drugs. The third topic is how people with Medicare can make an appeal if their drug plan will not cover their prescription.

How to Use this Guide

This guide uses an outline format that provides details on each of the three topic areas. It is expected that the workshop facilitator will learn the information in each section before presenting to an audience. However, the outline design also allows it to be easily referred to during the presentation. There is an area for notes that can be used for preparation at the bottom of each section.

The content of the guide is approximately 50 minutes in length. However, the workshop is designed to be either a single 75 minute session or separated into shorter multiple sessions. Each of these topics is likely to elicit questions from the audience, therefore time should be built in for discussion.

Separating the workshop into sections may be effective if presenting to a group that meets regularly for another topic (such as a diabetes self-management group or a social group of some type). Each of the three sections could be presented over three meetings or, alternatively, sections one and two could be presented together at one meeting and section three presented at another meeting (the first two are on drugs while the third is on Medicare drug appeals).

Guide Sections

Section I: Consumers Union and Best Buy Drugs project: This section describes what the Consumer Reports Health Best Buy Drugs project is and how consumers can best use it.

Section II: Generic Drug Information: This section addresses generic alternatives to brand-name drugs and how a patient can have a discussion about generics with their doctor.

Section III: Appeal: When Medicare Won't Cover a Drug you Need: This section addresses the appeal process when a person with Medicare Part D drug coverage is denied a drug that has been prescribed.

Handouts

This section provides handouts for workshop participants. Included are the overview to Consumer Reports Best Buy Drugs handout, and eight handouts on specific health conditions.

These materials were made possible by a grant from the state Attorney General Consumer and Prescriber Education Grant Program, which is funded by the multistate settlement of consumer-fraud claims regarding the marketing of the prescription drug Neurontin.

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INTRODUCTION

1. Hand out Best Buy Drug overview and high cholesterol sheet prior to start
 - a. Title: *Safe and Effective Drug Recommendations*
 - b. Title: *High Cholesterol: Statins*

2. Introduce self and Medicare Rights Center
 - a. The Medicare Rights Center is a national, nonprofit consumer service organization that works to ensure access to affordable health care for older adults and people with disabilities through counseling and advocacy, educational programs and public policy initiatives

3. Describe the three topics that will be discussed
 - a. How to use information from Best Buy Drugs to help make smart prescription drug choices
 - b. How generic drugs compare to brand name drugs
 - c. How people with Medicare can make an appeal if their drug plan denies a drug prescription their doctor wrote
 - d. Questions will be taken at the end of each of these topics

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SECTION 1

A. Consumers Union and Best Buy Drugs project

- a. Consumer Reports Health Best Buy Drugs is a public education project of Consumers Union
 - i. It's an education project only. It doesn't sell, make or promote any drugs.
- b. Consumers Union is an independent, nonprofit organization with the mission to work for a fair, just, and safe marketplace
 - i. This is the same organization that reviews other services and products and published Consumer Reports
 - ii. It is also focusing on health care
- c. The goal of the Best Buy Drugs project is to give consumers free guidance on prescription medications. The project was made possible by a grant from the state Attorney General Consumer and Prescriber Education Grant Program, which is funded by the multistate settlement of consumer-fraud claims regarding the marketing of the prescription drug Neurontin.

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B. How Best Buy Drugs are chosen

- a. Suggest audience follow along using the overview handout: *Safe and Effective Drug Recommendations*
- b. Best Buy Drugs are chosen based on an independent, fair review of scientific evidence on the drugs
- c. Reviews are done by doctors and researchers at several medical schools.
- d. Criteria for choosing Best Buy Drugs
 - i. Effectiveness

- Effectiveness is most important reason drugs are chosen as a Best Buy
- ii. Safety
 - Some drugs, while FDA approved, may have had safety issues raised in regards to their use
- iii. Possible Side Effects
 - Drugs in the same class can have different side effects
- iv. How easy they are to use
 - Drugs differ in size and shape, how many are needed and frequency of dosage
- v. Cost
 - While cost is not the most important criteria, it is very useful to know which ones provide the most cost savings

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C. Review of example handout: *High Cholesterol: Statins*

- a. Best Buy Drugs
- b. Generics
 - Generic will be discussed in the next section
- c. Tips

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D. Using the Medicare Rights Center web site

- a. Nine Best Buy educational sheets available on the site,
www.medicarerights.org
 - i. Click on RESOURCE tab
 - ii. Click on Best Buy Drugs
 - iii. Click on the educational sheet you want
- b. Medicare Rights also has a link to Medicare Interactive (MI)
www.medicareinteractive.org
 - i. MI is a free web site that provides answers to Medicare questions

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E. Using the Best Buy Drugs web site

- a. Web address is www.ConsumerReportsHealth.org/BestBuyDrugs
- b. Detailed reports to help discuss drug options with doctors
- c. Search the website by health condition, drug name or drug category
- d. Other guides on:
 - i. Splitting pills
 - 1. Which drugs can safely be split and other helpful tips
 - ii. Prescription assistance programs
 - 1. Programs by pharmaceutical companies to help with costs
 - iii. Finding the best price on drugs
 - 1. Even tells which states have web sites that do comparisons of drug cost
- e. Some information available in Spanish
 - i. Such as the pill splitting and the prescription assistance programs

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Q & A *****

SECTION 2

A. Generic drug information

[Generic drugs can be a controversial topic. Many consumers feel that generics do not work as well as brand-name drugs. It is important not to disagree with audience members, but let them know that you are simply providing information on generics and that people need to make these decisions by talking with their doctor.]

- a. Generic drugs are less expensive versions of brand-name drugs
- b. They are allowed to be made once the patent has run out on the brand-name version
- c. Generic drugs have the same active ingredients as their brand-name counterparts
- d. About half of all brand-name prescription drugs have a generic version
- e. If your doctor prescribes a brand-name drug, ask if there's a generic version of that drug or a similar one
 - i. Discuss these generic drug options with your doctor before you leave the doctor's office.
- f. Your pharmacist **can** give you a generic version of a drug unless your doctor specifically requests brand-name only
 - i. In some states, such as New York, your pharmacist is **required** to give you a generic version unless the doctor indicates that the prescription must be dispensed as written
- g. Generic drugs can sometimes look or taste different than brand name drugs.
 - i. However, they work the same way as the brand-name version.

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Q & A *****

SECTION 3

A. Appeal: When Medicare Won't Cover a Drug You Need

[Have audience members turn to the back side of the handout that has the appeals information on it. Tell them they can follow along if they wish.]

- a. Rights to Appeal
 - i. You can appeal if you have Medicare drug coverage (called Part D) and it won't pay for a drug your doctor prescribed
 - ii. An appeal is a formal request asking your drug plan to cover your drug
 - iii. You can appeal when your drug plan:
 1. Doesn't have the drug you need on its list of covered drugs (also know as its formulary)
 2. Will only cover a limited amount of the drug you need (also known as quantity limits)
 3. Is making you get approval before you can get the drug (also known as prior authorization)
 4. Wants you to try other drugs first (also know as step therapy)
 - iv. Before you appeal, talk with your doctor
 1. Ask if there is a similar drug that would work for you that is covered by the plan
 2. Switching drugs may be easier than appealing
 - v. Many people win the appeal for the drug their doctor prescribed in the first few stages
- b. Steps to appeal – these steps are the same for all Medicare drug coverage (drug plans that only cover prescriptions, and Medicare Advantage plans that cover health care and drugs)
 - i. Exception Request
 1. This is when you ask the plan to give you a written decision about whether it will cover your drug. You must do this before you can appeal.

2. If your pharmacist says your plan won't pay for a drug, ask your drug plan to make an exception
 - a. This is called getting a coverage determination
 - b. Ask your doctor to write to the plan and say the drug is medically necessary and other drugs won't work for you
 - c. Call the plan to find out where to send the request along with your doctor's letter
 - i. The phone number is on your drug insurance card
- ii. Appealing (Redetermination)
 1. First step in any Medicare drug coverage appeal
 - a. If your plan denies your exception request, you get a written denial notice. Your doctor should write to the plan and ask for a redetermination. This is your appeal.
 - b. The exception request denial should give reasons why your drug was denied
 - i. Your doctor should address these reasons in the appeal and explain why the drug is medically necessary
 2. Independent Review Entity
 - a. Second stage in any Medicare drug coverage appeal
 - b. If the redetermination is denied, you and your doctor should write to MAXIMUS Federal Services
 - i. MAXIMUS is the Independent Review Entity. This is not the same group of people who denied your drug at first.
 - ii. It isn't connected to your plan in any way
 - iii. It makes an independent decision

- c. You can use the same appeal letter as you did in the first step. But it's best to revise the letter to address the specific denial reasons at each step.
- 3. Steps after MAXIMUS
 - a. The third step is to go to an administrative law judge. The amount in question must be at least \$130.
 - b. Further steps are getting a Medicare Appeals Council hearing and then finally judicial review
- iii. Remember: Many people win early on and don't have to go through all these steps. When you win at any level, the drug plan must cover the drug. You're finished with the appeal.
- iv. Outside help in getting your drugs
 - 1. Your State Health Insurance Assistance Program (SHIP) can advise you about appeals
 - a. Call Medicare at 800-633-4227 to get the phone number for your state's SHIP
 - 2. If your drug plan won't cover the drugs you need, consider changing plans
 - a. Important to determine if changing plans could result in having difficulty getting other drugs you take
 - b. Remember, you can only change plans at certain times during the year
 - 3. State Programs to help pay for drugs
 - a. Call Medicare at 800-633-4227 for details.
 - 4. Drug Companies give discounts
 - a. Go to rxassist.org or needymeds.org to find these discounts
 - 5. Other types of drug coverage also have appeals processes, but the steps may be different

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Q & A *****

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